

Message Text

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ACTION IO-14

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TAGS: ECOSOC, EGEN

SUBJ: 63RD ECOSOC: AGENDA ITEM 3 - SUB-ITEM: CONSUMER PROTECTION

REF: GENEVA 6476

1. DRAFT RESOLUTION E/L.1787 ON CONSUMER PROTECTION, IN CONSIDERABLY REVISED FROM (TEXT BELOW) WAS ADOPTED WITHOUT VOTE IN PLENARY ON AUGUST 4, AFTER HAVING RUN INTO SNAGS.

2. WHEN PORTUGAL ON AUGUST 3 FORMALLY INTRODUCED IN PLENARY THE JULY 28 TEXT THAT HAD BEEN OFFICIALLY CIRCULATED JULY 29 (REFTEL), FRG AND FRANCE, WITH AN ECHO FROM ITALY, CALIMED THEY WERE SEEING IT FOR THE FIRST TIME (HARD TO BELIEVE -- ESPECIALLY SINCE EARLIER INFORMAL VERSIONS HAD BEEN CIRCULATING FOR SOME TIME)), EXPRESSED MISGIVINGS AND STATED THEY LACKED INSTRUCTIONS. PORTUGAL AND AUSTRIA (BOTH CO-SPONSORS) RESPONDED IN DEFENSE, AND THE UPSHOT WAS REFERENCE TO A CONTACT GROUP.

3. IN CONTACT GROUP MEETINGS IN WHICH MOST CO-SPONSORS (SEE REFTEL), INCLUDING US, AS WELL AS SEVERAL OTHER WEOS AND USSR PARTICIPATED, JAPAN AND USSR ALSO EXPRESSED MISGIVINGS, UK HAD SOME PROBLEMS BUT WAS MODERATELY HELPFUL, BUT IT WAS THE UNCLASSIFIED

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FRG AND FRANCE WHO HAD THE HATCHET OUT, INITIALLY PROPOSING DELAYING THE WHOLE THING. CO-SPONSORS (NOW JOINED BY NETHERLANDS) ARGUED HARD TO PRESERVE THE ESSENTIALS, BUT HAD TO MAKE CONCESSIONS IN THE INTEREST OF A CONSENSUS IN THE FACE OF FRG AND FRENCH REFUSAL TO ACCEPT LANGUAGE EXPLICITLY ASKING THE SYG TO SUGGEST WAYS IN WHICH THE UN SYSTEM MIGHT HELP IN MEETING NEEDS FOR ASSISTANCE IN THE CONSUMER PROTECTION. (NEVERTHELESS,

WE STILL THINK THIS IMPLICIT IN THE REVISED DRAFT.)

4. MEXICO AND VENEZUELA WITHDREW COSPONSORSHIP IN DISGUST OVER THE WATERING DOWN, ALTHOUGH STILL SUPPORTIVE, BUT ZAIRE AS WELL AS NETHERLANDS JOINED IN COSPONSORING. US AND OTHER COSPONSORS STAYED ON BOARD.

5. PORTUGAL INTRODUCED THE REVISED VERSION IN PLENARY AUGUST 4, EXPRESSING REGRET AT THE EFFORTS TO DELAY THE RESOLUTION FOR FURTHER STUDY.

6. AFTER ADOPTION USSR SAID IT HAD NOT OBJECTED BUT HAD SERIOUS DOUBTS ECOSOC SHOULD DEAL WITH THE PROBLEM. JAPAN ACKNOWLEDGED THE IMPORTANCE OF THE MATTER BUT SAID IT WAS NOT QUITE CONVINCED OF THE NEED TO TAKE ACTION NOW OVER THE WISHES OF SOME TO CONSIDER IT FURTHER; IT ADDED THAT THIS SHOULD NOT LEAD TO PROTECTIONISM. FRG SAID IT WOULD HAVE ABSTAINED HAD THERE BEEN A VOTE; REGRETTED THE INSUFFICIENT TIME FOR THE FRG AUTHORITIES TO EXAMINE THE MATTER; ACKNOWLEDGED THE DRAFT HAD BEEN IMPROVED; DEFENDED THE SUGGESTION FOR FURTHER STUDY; STATED THAT POSSIBLE ASSISTANCE SHOULD BE EXAMINED ONLY IF COUNTRIES REQUEST IT; AND SAID CONSUMER PROTECTION SHOULD NOT BE USED AS AN INSTRUMENT TO IMPAIR INTERNATIONAL TRADE OR AS A PROTECTIONIST MEASURE. ARGENTINA EXPRESSED CONCERN FOR DIFFERENT REASONS, I.E., THE EXAGGERATED ORIENTATION TOWARD LDCS AND THE PROBLEM OF PROTECTIONISM AGAINST LDC PRODUCTS. PAKISTAN ALSO EXPRESSED SOME CONCERN OVER UNCLASSIFIED

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THE EMPHASIS ON LDCS AND OVER POSSIBLE TARIFF BARRIERS BY DEVELOPED COUNTRIES. (NOTE: IT WAS THE LDC CO-SPONSORS WHO WANTED THE ORIENTATION TOWARD THEIR PROBLEMS AND THEIR NEEDS FOR ASSISTANCE.)

7. TEXT FOLLOWS:

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THE ECONOMIC AND SOCIAL COUNCIL,

RECALLING GENERAL ASSEMBLY RESOLUTIONS 3201 AND 3202 (S-VI) OF 1 MAY 1974 CONTAINING THE DECLARATION AND PROGRAMME OF ACTION ON THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER, 3281 (XXIX) OF 12 DECEMBER 1974 CONTAINING THE CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES, AND 3362 (S-VII) OF 16 SEPTEMBER 1975 ON DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION,

RECOGNIZING THAT THE BENEFITS OF DEVELOPMENT MEASURES AIMED AT RAISING THE STANDARD OF LIVING AND IMPROVING THE QUALITY OF LIFE OF THE PEOPLES OF THE WORLD WOULD BE ENHANCED IF THEY WERE ACCOMPANIED BY ADEQUATE MEASURES FOR THE PROTECTION OF INDIVIDUAL CONSUMERS, PARTICULARLY THOSE OF THE DEVELOPING COUNTRIES WHICH DO NOT HAVE THE CAPABILITIES REQUIRED FOR SUCH

PROTECTION,

RECALLING ITS DECISION 204 (ORG-77) OF 14 JANUARY 1977 TO
REQUEST THE ADMINISTRATIVE COMMITTEE ON CO-ORDINATION TO PREPARE
A BRIEF REPORT ON THE ACTIVITIES OF THE UNITED NATIONS SYSTEM
ON CONSUMER PROTECTION FOR CONSIDERATION AT THE SIXTY-THIRD
SESSION,

RECOGNIZING THE IMPORTANCE, IN THIS CONTEXT, OF THE WORK
BEING DONE IN THE FIELD OF CONSUMER PROTECTION BY THE COMMISSION
ON TRANSNATIONAL CORPORATIONS,

RECALLING DECISION 85 (V) OF THE GOVERNING COUNCIL OF THE
UNITED NATIONS ENVIRONMENT PROGRAMME, IN PARTICULAR PARAGRAPH
3 REQUESTING THE EXECUTIVE DIRECTOR TO ASSIST DEVELOPING COUNTRIES
IN DEVELOPING AND STRENGTHENING THEIR CAPABILITIES
FOR EVALUATING COUNTRIES IN DEVELOPING AND STRENGTHENING THEIR
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CAPABILITIES FOR EVALUATING CHEMICALS, FOODS, DRUGS AND COSMETICS
BEING DISTRIBUTED WITHIN THEIR COUNTRIES,

REALIZING THE NEED TO CO-ORDINATE THE WORK OF THE UNITED
NATIONS SYSTEM IN RESPECT TO PROTECTION OF INDIVIDUAL CONSUMERS,

1. TAKES NOTE OF THE REPORT OF THE ADMINISTRATIVE COMMITTEE
ON CO-ORDINATION ENTITLED "ACTIVITIES OF THE UNITED NATIONS
SYSTEM RELATED TO CONSUMER PROTECTION";

2. DECIDES TO REQUEST THE SECRETARY-GENERAL TO PREPARE, AND
TO SUBMIT TO THE COUNCIL AT ITS SIXTY-FIFTH SESSION A SURVEY
ILLUSTRATIVE OF THE RANGE OF INSTITUTIONAL
AND LEGAL ARRANGEMENTS EXISTING IN THE FIELD OF INDIVIDUAL CONSUMER
PROTECTION AT
THE NATIONAL LEVEL, WITH A VIEW TO IDENTIFYING NEEDS FOR CO-OPERA-
TION AND ASSISTANCE IN THIS FIELD THAT MAY BE PROVIDED AT THEIR
REQUESTS THE SECRETARY-GENERAL TO PREPARE THIS SURVEY WITHIN
EXISTING RESOURCES AND IN DOING SO TO CONSULT WITH THE AGENCIES,
ORGANIZATIONS AND BODIES CONCERNED WITHIN THE UNITED NATIONS
SYSTEM AND TO BEAR IN MIND THE STUDIES ALREADY MADE AND UNDER
PREPARATION.

END TEXT

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